

Notice of Allowability

Application No.

09/871,345

Examiner

J. Derek Rutten

Applicant(s)

IONESCU, RADU V.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/25/2006.
2. ☒ The allowed claim(s) is/are 1, 2, 4, 12, 13, and 15-26 (renumbered 1-17).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

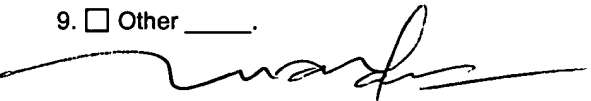
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



TUAN DAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This action is in response to Applicant's submission filed 7/25/2006, responding to the 5/18/2006 Office action which detailed the rejection of claims 1-5, 12, 13, and 15-27. Claims 1, 4, 12, 15, 16, 19, and 22 have been amended, and claims 3, 5-11, 14, and 27 have been canceled. Claims 1, 2, 4, 12, 13, and 15-26 remain pending in the application and have been fully considered by the examiner.
2. Applicant's amendments filed 7/25/2006 have obviated the objections to the specification and claims, and the rejection under 35 U.S.C. § 112. The objections to the specification and claim 4 have been withdrawn. Also, the rejection under 35 U.S.C. § 112 of claim 15 has been withdrawn.
3. Applicant's arguments, see bottom of page 10, filed 7/25/2006, with respect to the rejection of claims 1, 2, 4, 12, 13, and 15-26 under 35 U.S.C. § 103(a) have been fully considered and are persuasive. The rejection under 35 U.S.C. § 103(a) of claims 1, 2, 4, 12, 13, and 15-26 has been withdrawn.

Allowable Subject Matter

4. Claims 1, 2, 4, 12, 13, and 15-26 are allowed.
5. The following is an examiner's statement of reasons for allowance:
As asserted by the Applicant (see bottom of page 10 – top of page 11 filed 7/25/2005), the cited prior art taken alone or in combination fail to teach, in combination with the other claimed

Art Unit: 2192

limitations, allowing the testing of a selected method of an existing instance of an object that is in an object store or testing of a new instance of an object that is added to the object store and, when an invoked method of an instance being tested creates an instance of another object, adding that instance to the object store so that that instance can also be tested. These limitations are essentially present in each of independent claims 1, 12, 16, and 22. The distinctions provided by the independent claims apply equally to all dependent claims. Thus all pending claims 1, 2, 4, 12, 13, and 15-26 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

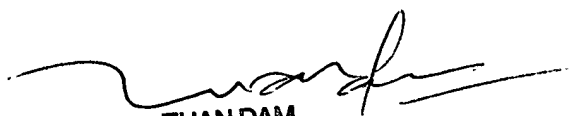
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (571)272-3703. The examiner can normally be reached on T-F 6:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2192

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jdr



TUAN DAM
SUPERVISORY PATENT EXAMINER